

Serial No.: 09/676,251

- 3 -

Art Unit: 1771

previously pending in this application. By this amendment, Applicant is canceling claims 60-63 without prejudice or disclaimer. Claims 1, 8, 24, 28 and 31 have been amended. As a result claims 1-24, 26-33 and 64-84 are pending for examination with claims 1, 8, 24, 28 and 31 being independent claims. No new matter has been added.

Summary of Telephone Conference with Examiner

Applicant thanks the Examiner for the courtesies extended in telephone conference on November 18, 2002. Applicant is amending the claims consistent with the discussion in the telephone conference.

Claim Amendments

Independent claims 1, 8, 24, 28 and 31 have been amended to recite that the article has a curved cross-section.

As discussed in the telephone interview, none of the art of record anticipates or makes obvious an article that has a *curved cross-section* and comprises an injection-molded microcellular polymeric material having *an average cell size of less than 100 microns* and a substrate adhered to a surface as recited in independent claims 1, 8 and 31. Therefore, independent claims 1, 8 and 31 are patentable.

None of the art of record anticipates or makes obvious an article that has a *curved cross-section* and comprises injection-molded polymeric foam material, wherein at least 70% of the total number of cells have a cell size of less than 150 microns, and a *single layer substrate* adhered to a surface as recited in independent 24. Therefore, independent claim 24 is patentable.

None of the art of record anticipates or makes obvious an article that has a *curved cross-section* and comprises an injection-molded polymeric foam material and a *single-layer fabric substrate* adhered to a surface of the polymeric material as recited in independent claim 28. Therefore, independent claim 28 is patentable.

Each of dependent claims 2-7, 9-23, 25-27, 29-30, 32-33 and 64-84 depend from one of the above-mentioned independent claims and, therefore, are also patentable over the cited art.

660615.1

Serial No.: 09/676,251

- 4 -

Art Unit: 1771

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Joseph P. Vadala, Jr. et al, Applicants

By: 

Robert H. Walat, Reg. No. 46,324
Timothy J. Oyer, Ph.D., Reg. No. 36,628
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. T00428.70090.US
Date: November 21, 2002

660615.1

Serial No.: 09/676,251

- 5 -

Art Unit: 1771

MARKED-UP CLAIMS

Claims 60-63 have been canceled without prejudice or disclaimer.

Claims 1, 8, 24, 28 and 31 have been amended as follows:

1. (Twice Amended) An in-mold decorated article comprising:
 - an injection-molded microcellular polymeric material having an average cell size of less than 100 microns; and
 - a substrate adhered to a surface of the microcellular polymeric material, wherein the article has a [non-planar surface] curved cross-section.
8. (Twice Amended) An in-mold decorated article comprising:
 - an injection-molded microcellular polymeric material having an average cell size of less than 100 microns; and
 - a substrate adhered to a surface of the microcellular polymeric material in the absence of an external adhesive, wherein the article has a curved cross-section.
24. (Twice Amended) An in-mold decorated article comprising:
 - an injection-molded polymeric foam material wherein at least 70% of the total number of cells have a cell size of less than 150 microns; and
 - a single layer substrate adhered to a surface of the polymeric foam material, wherein the article has a [non-planar surface] curved cross-section.
28. (Twice Amended) An in-mold decorated article comprising:
 - an injection-molded polymeric foam material; and
 - a single-layer fabric substrate adhered to a surface of the polymeric material, wherein the article has a [non-planar surface] curved cross-section.
31. (Twice Amended) An in-mold decorated article comprising:

Serial No.: 09/676,251

- 6 -

Art Unit: 1771

an injection-molded microcellular polymeric material having an average cell size of less than 100 microns and a softening temperature; and

a substrate adhered to a surface of the injection molded polymeric material, the substrate comprising a polymer having a softening temperature,

wherein the softening temperature of the injection molded polymeric material is within 20°C of the softening temperature of the polymer of the substrate and the article has a [non-planar surface] curved cross-section.

660615.1